

**1999 DRAFTING REQUEST**

**Bill**

Received: **08/10/1999**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **Rodney Moen (608) 266-8546**

By/Representing: **Terry Tuschen**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Veterans - Wisconsin home**

Extra Copies:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Southern Wisconsin veterans facilities


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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>		<u>Required</u>
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Page 2

**LRB-3402**

FE Sent For:

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Page 1

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Page 1

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Page 1

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For: Rodney Moen (608) 266-8546

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Southern Wisconsin veterans facilities

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FE Sent For:

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**Nelson, Robert P.**

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**From:** Tuschen, Terry  
**Sent:** Tuesday, August 10, 1999 12:48 PM  
**To:** Nelson, Robert P.  
**Subject:** veterans legislation

**Importance:** High

Hi Mr. Nelson,

I just sent of a drafting request to you. This is a super-veterans bill of non-fiscal policy items not included or removed from the budget. John Scocos said that he has been working with you on this. I attached a memo onto the drafting request.

The proposal and language is fine, however, Senator Moen wanted the 14-passive review authority provisions removed. Also, the language to exempt the southern center from the statewide nursing bed cap is no longer needed as it was put into the budget.

Give me a call or email me if you have any questions or concerns.

Thanks again, Terry

**BILL**  
**REQUEST FORM**

**LEGISLATIVE REFERENCE BUREAU**  
**Legal Section Telephone: 266-3561**  
**5th Floor, 100 N. Hamilton Street**

Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.

Use this form only for **BILL** drafts. Attach more pages if necessary.

Legislator, agency or other body requesting this draft: Senator Rod Moen

Date: 8/10 Person submitting request (name, phone number): Terry Tuschen  
6-8546

Persons to contact for questions about this draft (names, phone numbers): - same -

**Describe the problem, including any helpful examples.**

**How do you want to solve the problem?**

- see attached memo -

Please attach a copy of any correspondence or other material that may help us.

If you know of any statute sections that might be affected, list them or provide a marked-up (not re-typed) copy. \_\_\_\_\_

You may attach a marked-up (not retyped) copy of any LRB draft, or provide its number (e.g., 1999 LRB-2345/1 or 1997 AB-67): \_\_\_\_\_

**Requests are confidential unless stated otherwise.**

- May we tell others that we are working on this for you? ☒ Yes ☐ No
- If yes: Anyone who asks? ☐ Yes ☐ No Any legislator? ☐ Yes ☐ No Only the following persons: \_\_\_\_\_

Do you consider this request urgent? ☐ Yes ☒ No If yes, please indicate why: \_\_\_\_\_

Should we give this request priority over any other pending request of this legislator, agency or body? ☐ Yes ☒ No If yes, sign your name here: \_\_\_\_\_





WISCONSIN STATE SENATE

**RODNEY C. MOEN**

SENATOR - 31ST DISTRICT

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State Capitol, P.O. Box 7882, Madison, Wisconsin 53707-7882 Phone: (608) 266-8546 Toll-free Hotline: 1-800-362-9472

**To: Bob Nelson, LRB**

**From: Terry Tuschen, Office of State Senator Rod Moen**

**Re: Proposed veterans legislation**

**Date: August 10, 1999**

Mr. Nelson,

Here is the drafting language for the veterans legislation proposal you've worked on with DVA and John Scocos.

The language is great, however, please remove the provisions which would provide 14-day passive authority for the Tuition and Fee Reimbursement Grant, Part-Time Study Grant, and CVSO grant.

Also, the language exempting the Southern Center from the statewide bed cap is no longer necessary as that language is included in the 1999-2001 budget bill.

Thanks again for your help and please call if you have any questions.



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843  
Tommy G. Thompson, Governor  
Raymond G. Boland, Secretary

COPY

TO: Senator Rodney Moen  
Senate Committee on Health, Utilities, Veterans and Military Affairs

FROM: John A. Secos, Executive Assistant  
Wisconsin Department of Veterans Affairs

DATE: April 23, 1999

RE: Statutory Language for a Veterans Bill

The Department requests that you authorize the following attached legislation. The legislation addresses statutory changes not covered in the budget.



## VETERANS AFFAIRS

STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843  
Tommy G. Thompson, Governor  
Raymond G. Boland, Secretary

DATE: April 22, 1999  
TO: John Scocos  
FROM: John Rosinski *JR*  
RE: Federal Home Loan Mortgage Corporation - Statutory Changes

The following statutory language changes will enable the department to utilize Federal Home Loan Mortgage Corporation standards in evaluating primary mortgage loan applications.

SECTION 1. 45.71(6m) of the statutes is created to read:

45.71(6m) "Federal Home Loan Mortgage Corporation" means the corporation created under 12 USC 1451 to 1459.

SECTION 2. 45.71(7) of the statutes is amended to read:

45.71(7) "Funds" include cash on hand; ~~and liquid investments, and any asset the conversion of which to cash would not result in a substantial loss, except as provided under s.45.85.~~ The funds of a veteran include all funds owned by the veteran and spouse, individually or jointly, unless the veteran and spouse are permanently separated.

SECTION 3. 45.71(9) of the statutes is amended to read:

45.71(9) "Income" means the amount of adjusted gross income a veteran is receiving for regular work together with any income from other sources that may reasonably be expected to be regular and dependable; ~~except as provided under s.45.85.~~

(a) ~~Part time or overtime pay, unemployment insurance and income of the veteran's spouse are considered income only if the department or authorized lender deems such sources of income to be regular and dependable.~~

(b) ~~Unless temporary in nature and except as provided under s.45.85, pensions and disability compensation shall be considered income.~~

SECTION 4. 45.71(12) of the statutes is amended to read:

45.71(12) ~~"Mobile home"~~ "Manufactured home" means a ~~mobile home structure~~, as defined under ~~s.340.01(20)~~, by the Federal Home Loan Mortgage Corporation which:

- (a) Is used as the veteran's principal place of residence; and
- (b) Meets or exceeds the statutory size under s.348.07(2).

SECTION 5. 45.73(2) of the statutes is repealed.

SECTION 6. 45.74(intro) of the statutes is amended to read:

**45.74 Eligible persons; disqualifying factors.** Except as provided under s.45.745 ~~or 45.85~~, no person may receive a loan under this subchapter if the department or authorized lender determines that any of the following applies:

SECTION 7. 45.74(3) of the statutes is repealed.

SECTION 8. 45.74(5) of the statutes is repealed.

SECTION 9. 45.745(3) of the statutes is repealed.

SECTION 10. 45.745(5) of the statutes is repealed.

SECTION 11. 45.76(3)(a) of the statutes is amended to read:

(3) CONDITIONS. (a) *Cost and value of property.* No loan may be made under this subchapter if the department or authorized lender determines that:

~~1. The the total cost of the property exceeds its market value unless the amount by which the cost of the property exceeds its market value is paid by the borrower in addition to the downpayment required by 45.77. This subdivision paragraph does not apply to a person who qualifies under s.45.745.~~

~~2. The value of the land and nonhousing improvements thereon is disproportionate to the value of the housing accommodation.~~

SECTION 12. 45.79(2)(c) of the statutes is repealed.

SECTION 13. 45.79(3)(a) of the statutes is amended to read:

(3) LOANS TO BE SECURED. (a) ~~First or 2nd mortgage~~ Mortgage or guarantor required. ~~1.~~ Each loan made under this section, except a loan of \$3,000 or less for a purpose specified under s.45.76(1)(c), shall be evidenced by a promissory

instalment note and secured by a mortgage on the real estate in respect to which the loan is granted. A loan of \$3,000 or less made for a purpose specified under s.45.76(1)(c) shall be evidenced by a promissory instalment note and shall be secured by a guarantor or by a mortgage on the real estate in respect to which the loan is granted. Any loan having as its source funds provided through sub. (6)(a) and secured by a mortgage shall have the mortgage name the department as mortgagee and payee. Any loan having as its source funds provided through (6)(b) and secured by a mortgage shall have the mortgage name the authorized lender involved as mortgagee and payee, and such mortgage and note shall be assigned by the authorized lender to the authority immediately upon execution. A mortgage securing a loan made for a purpose specified in s.45.76(1)(a), (b) or (d) must have priority over all liens against the mortgaged premises and the buildings and improvements thereon, except tax and special assessment liens filed after the recording of the mortgage. A mortgage securing a loan made for a purpose specified under s.45.76(1)(c) ~~may be junior and subject to not more than one prior mortgage, and, except for that prior mortgage, must have priority over all liens against the mortgaged premises and the buildings and improvements on those premises, except tax and special assessment liens filed after the recording of the mortgage,~~ is acceptable if the applicant can establish a minimum equity in the property as established by the department by rule.

~~2. No loan may be made under this section for the purchase or improvement of a mobile home unless such loan is secured by both a first mortgage on real estate and a primary chattel security agreement covering the mobile home itself.~~

SECTION 14. 45.85 of the statutes is repealed.

cc: Ken Abrahamsen



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843  
Tommy G. Thompson, Governor  
Raymond G. Boland, Secretary

DATE: April 22, 1999  
TO: John Scocos  
FROM: John Rosinski JR  
RE: Statutory Language For WWI Appropriation

20.485(2)(vo) of the statutes is amended to read:

20.485(2)(vo) *Veterans of World War I*. The amounts in the schedule to help defray the cost of the ~~annual convention, operations and publications of the, exhibits, and other educational material prepared by the staff of the~~ Wisconsin veterans museum relating to veterans of World War I.

cc: Ken Abrahamsen



STATE OF WISCONSIN, DEPARTMENT OF VETERANS AFFAIRS

30 West Mifflin Street, P. O. Box 7843, Madison, WI 53707-7843  
Tommy G. Thompson, Governor  
Raymond G. Boland, Secretary

DATE: March 25, 1999

TO: John Scocos  
Executive Assistant

FROM: John Rosinski *HR*  
Chief Legal Counsel

RE: Statutory Language For A Veterans Bill

Several weeks ago we met to discuss a strategy for the enactment of statutory language deleted from the budget bill or otherwise determined to be necessary and appropriate. The following statutory language addresses the relevant issues, except the SWIB borrowing/bonding authority. I am still waiting for the language to be developed by Capital Finance. Perhaps J.T. could rattle their cages. If anyone has any questions or additions, let me know.

HILP appropriation language:

20.485(2)(yn) *Veterans trust fund loans and expenses.* Biennially, the amounts in the schedule for the purpose of providing loans under s.45.356 and for the payment of expenses and other payments as a consequence of being a mortgagee or owner under home improvement loans made under s.45.79(7)(c)2.. 1997 stats. or under 45.351(2), 1995 stats., s.45.352, 1971 stats., s.45.80, 1989 stats., and s.45.356. All moneys received under ss.45.356(9)(a) and (b) and 45.79(7)(c) for the purpose of providing loans under the personal loan program under s.45.356 shall be credited to this appropriation account. All payments of interest and repayment of principal for loans made under s.45.351(2), 1995 stats., s.45.352, 1971, stats., s.45.80, 1989 stats., and s.45.356, and s.45.79(7)(c), 1997 stats. shall revert to the veterans trust fund.

~~TFRG 14 day passive review:~~

~~45.25(5) of the statutes is created to read:~~

45.25(5) SUPPLEMENTAL FUNDS. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s.20.485(2)(tf) for tuition and fee reimbursement grants to veterans. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.

PTSG 14 day passive review:

45.396(11) of the statutes is created to read:

45.396(11) SUPPLEMENTAL FUNDS. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s.20.485(2)(th) for correspondence courses and part-time classroom study grants to veterans. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.

CVSO Grant 14 day passive review:

45.43(9) of the statutes is created to read:

45.43(9) SUPPLEMENTAL FUNDS. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s.20.485(2)(vx) for county veterans service officer grants. If the cochairpersons of the committee do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented as provided in the request. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee intends to schedule a meeting to review the request, the appropriation account shall be supplemented only as approved by the committee.



Collection agency contract authority:

45.35(18) of the statutes is created to read:

*Jeff making it our 500  
fair effort,*

45.35(18) COLLECTIONS. The department may enter into contracts to collect delinquent loan payments owed to the department. The department may allocate a portion of the amounts collected under the contracts to pay contract costs. Notwithstanding the provisions of s.45.36, the department may release information contained in its files pertaining to applications for benefits to contractors providing collection services to the department.

Expand RTG to include proprietary schools:

45.397(2)(a) of the statutes is amended to read:

45.397(2)(a) The veteran is enrolled in a training course in a technical college under ch. 38 or in a proprietary school in the state approved by the educational board under s.39.51, other than a school offering four year degrees or programs, or is engaged in a structured on-the-job training program that meets program requirements promulgated by the department by rule.

As you know, Bob Nelson extensively modified the Southern Center language. I will review the language and modify upon my return from vacation. In particular, I will assure that the eligibility requirements include a full pay provision.

cc: Ken Abrahamsen  
John Trimbell



STATE OF WISCONSIN  
DEPARTMENT OF VETERANS AFFAIRS



30 West Mifflin Street, P.O. Box 7843, Madison, WI 53707-7843  
(608) 266-1311 FAX (608) 267-0403  
1-800-947-8387 (WIS VETS)  
Tommy G. Thompson, Governor  
Raymond G. Boland, Secretary

DATE: April 20, 1999  
TO: John Scocos  
FROM: John Rosinski *JR*  
RE: Southern Center Facilities

*Done*

I have again reviewed the statutory language developed by Bob Nelson for the Southern Center facilities. The language is appropriate. I worked on the language with Bob when we submitted the budget. I recommend the following changes, however, to address the statewide bed limit exemption and the cost of care issues which arose after we submitted the budget language.

- 1) Substitute the following amendment for the current Section 24.

45.365(6) of the statutes is amended to read:

45.365(6) The home is and the nursing care facility within the southeastern facility are not subject to ch. 150, as specified in s.150.46.

- 2) Substitute the following amendment for the current Section 49.

150.46(1) of the statutes is amended to read:

150.46 Exceptions. (1) This subchapter ~~applies~~ does not apply to the Wisconsin Veterans Home at King ~~only with respect to the statewide bed limit under s.150.31 and with respect to the application, review and approval procedures relating to an increase in the nursing home bed capacity of the Wisconsin Veterans Home, under ss.150.21(2), 150.33, 150.35, 150.39, 150.40, 150.41 and 150.43~~ and to the nursing care facility operated by the department of veterans affairs under s.45.385.

- 3) Create a new section to include the nursing care facility in the home payment provisions.

45.37(17) of the statutes is amended to read as follows:

45.37(17) ADDITIONAL ELIGIBILITY REQUIREMENTS. Any person admitted to the home after ~~December 31, 1973~~ or the nursing care facility within the southeastern facility, shall meet during residence at the home or the nursing care facility within the southeastern facility the eligibility requirements under ss.49.45 and 49.46 and rules promulgated thereunder except that:

(a) Persons with sufficient income and resources to meet the expenses of care for one or more months may be admitted to or remain in membership at the home or the nursing care facility within the southeastern facility but shall apply income and resources to costs to the extent required by ss.49.45 and 49.46 and rules promulgated thereunder; or

(b) Persons who meet all the requirements of this section but whose degree of physical disability does not meet the minimum requirements in ss.49.45 and 49.46 and rules promulgated thereunder may be admitted to or remain in membership at the home or the nursing care facility within the southeastern facility but shall apply income and resources to costs to the extent required by ss.49.45 and 49.46 and rules promulgated thereunder.

4) Create a new section to limit residency at the southeastern facilities, other than the nursing care facility, to those who can fully pay the cost of care.

45.37(18) of the statutes is created to read:

45.37(18) SOUTHEASTERN FACILITY. An otherwise eligible person may be admitted to or remain in residency at a residential or treatment facility within the southeastern facility only if the person has sufficient income and resources, and applies the income and resources, so as to fully reimburse the department for the cost of providing care to the person.

Same as  
Hing,  
identical standard  
or different

DOA:.....Uecker - Southern center facilities for veterans

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau***VETERANS AND MILITARY AFFAIRS**

Currently, the department of veterans affairs (DVA) has authority to and does operate a home for veterans at King, Wisconsin. In addition, in 1997 Wisconsin Act 121, DVA received authority to operate residential, treatment and nursing care facilities in southeastern Wisconsin for veterans. This bill makes the changes necessary in the law to implement DVA authority to operate the southeastern facilities and makes the eligibility, rights and responsibilities of members of those facilities generally the same as members of the veterans home at King.

The bill provides that the eligibility for membership in the southeastern facilities is the same as the eligibility for membership in the veterans home at King, except that the limited eligibility for veterans' surviving spouses and parents at King is not included. For state revenue sharing purposes, the bill specifies the town and county of residence for the members of the southeastern facilities. The bill gives the southeastern facilities members the same right to free fishing licenses as the members of the veterans home at King have. The bill makes the changes necessary in the appropriation accounts consistent with the operation of the southeastern facility. The bill subjects the nursing home at the southeastern facilities to the same conditions as those that apply to the nursing home at the veterans home at King. The bill provides the same income protection to fire fighters at the southeastern facilities for injuries resulting from the performance of the duties that applies to fire fighters at the veterans home at King.

The bill deletes a provision in the uniform veterans guardianship act that permits the commandant of the veterans home at King to be the guardian of more than five wards who are veterans.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1       SECTION 1. 16.96 (2) (f) of the statutes is amended to read:

2       16.96 (2) (f) Persons who are members in the Wisconsin ~~veterans home~~  
3       Veterans Home at King shall be considered residents of the town of Farmington and  
4       of Waupaca ~~county~~ County and persons who are members in the Wisconsin veterans  
5       facility in southeastern Wisconsin shall be considered residents of the town of Dover  
6       and of Racine County for purposes of the state revenue sharing distribution under  
7       subch. II ~~I~~ of ch. 79.

8       SECTION 2. 20.485 (1) (title) of the statutes is amended to read:

9       20.485 (1) (title) ~~Home~~ HOMES AND FACILITIES FOR VETERANS.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10      SECTION 3. 20.485 (1) (gk) of the statutes is amended to read:

11      20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the  
12      care of the Wisconsin ~~veterans home~~ Veterans Home and facilities. All moneys  
13      received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this  
14      appropriation.

15      SECTION 4. 20.485 (1) (gm) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16      SECTION 5. 20.485 (1) (go) of the statutes is amended to read:

1           20.485 (1) (go) *Self-amortizing housing facilities; principal repayment and*  
2 *interest.* From the moneys received for providing housing services at the Wisconsin  
3 Veterans Home at King and the Wisconsin veterans facilities in southeastern  
4 Wisconsin, a sum sufficient to reimburse s. 20.866 (1) (u) for the principal and  
5 interest costs incurred in acquiring, constructing, developing, enlarging or  
6 improving housing facilities at the Wisconsin Veterans Home at King and the  
7 Wisconsin veterans facilities in southeastern Wisconsin and to make the payments  
8 determined by the building commission under s. 13.488 (1) (m) that are attributable  
9 to the proceeds of obligations incurred in financing such facilities.

10           SECTION 6. 20.485 (1) (h) of the statutes is amended to read:

11           20.485 (1) (h) *Gifts and bequests.* All moneys received under s. 45.37 (10) and  
12 (11), or any moneys received by gifts or bequests, to carry out the purposes of ss.  
13 45.365 ~~and~~, 45.37 ~~and~~ 45.385.

14           SECTION 7. 20.485 (1) (i) of the statutes is amended to read:

15           20.485 (1) (i) *State-owned housing maintenance.* The amounts in the schedule  
16 for maintenance of state-owned housing at the Wisconsin ~~veterans home~~ Veterans  
17 Home and veterans facilities in southeastern Wisconsin. All moneys received by the  
18 department from rentals of state-owned housing shall be credited to this  
19 appropriation account.

20           SECTION 8. 20.485 (1) (m) of the statutes is amended to read:

21           20.485 (1) (m) *Federal aid; care at veterans home and facilities.* All moneys  
22 received from the federal government for care of veterans of any war or military  
23 expedition of the United States who have been admitted to and cared for at the  
24 Wisconsin ~~veterans home~~ Veterans Home and facilities. The net revenues accruing  
25 under this paragraph shall be credited to the appropriation under par. (gk).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1       **SECTION 9.** 20.485 (1) (mj) of the statutes is amended to read:

2       20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal  
3 government for the geriatric program at the Wisconsin ~~veterans home~~ Veterans  
4 Home and facilities, to carry out the purpose of s. 45.365 (1) (d).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5       **SECTION 10.** 20.485 (1) (mn) of the statutes is amended to read:

6       20.485 (1) (mn) *Federal projects.* All moneys received from the federal  
7 government for specific veterans programs other than for the care of veterans at the  
8 Wisconsin ~~veterans home~~ Veterans Home and facilities, for such purposes.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9       **SECTION 11.** 20.485 (1) (t) of the statutes is amended to read:

10       20.485 (1) (t) *Veterans ~~home~~ homes and facilities member accounts.* From the  
11 Wisconsin ~~veterans home~~ Veterans Home and facilities members fund, all moneys  
12 received under s. 25.37 to make payments as provided under s. 45.37 (9c), (10) and  
13 (11).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14       **SECTION 12.** 25.17 (1) (yv) of the statutes is amended to read:

15       25.17 (1) (yv) Wisconsin ~~veterans home~~ Veterans Home and facilities members  
16 fund (s. 25.37);

17       **SECTION 13.** 25.37 of the statutes is amended to read:

18       **25.37 Wisconsin veterans ~~home~~ facilities members fund.** There is  
19 established a separate nonlapsible trust fund designated as the Wisconsin veterans  
20 ~~home~~ facilities members fund. The fund shall consist of moneys belonging to persons

1 residing in Wisconsin veterans facilities, including members of the Wisconsin  
2 ~~veterans home~~ Veterans Home, that are paid to the home and facilities and that are  
3 transferred into the fund by the department of veterans affairs under s. 45.37 (9c).

4 SECTION 14. 29.219 (2) (c) of the statutes is amended to read:

5 29.219 (2) (c) A resident annual fishing license issued to any resident who is  
6 a member of the Wisconsin Veterans Home at King or at the facilities operated by the  
7 department of veterans affairs under s. 45.385 shall be issued at no charge.

8 SECTION 15. 29.563 (3) (a) 8. of the statutes is amended to read:

9 29.563 (3) (a) 8. Annual fishing issued to a resident at Wisconsin Veterans  
10 Home at King and at the facilities operated by the department of veterans affairs  
11 under s. 45.385: \$0.

12 SECTION 16. 40.02 (48) (am) of the statutes is amended to read:

13 40.02 (48) (am) "Protective occupation participant" includes any participant  
14 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who  
15 is a conservation warden, conservation patrol boat captain, conservation patrol boat  
16 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,  
17 member of the state patrol, state motor vehicle inspector, police officer, fire fighter,  
18 sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic  
19 police officer, state forest ranger, fire watcher employed by the at Wisconsin veterans  
20 home facilities, state correctional-psychiatric officer, excise tax investigator  
21 employed by the department of revenue, special criminal investigation agent in the  
22 department of justice, assistant or deputy fire marshal, or person employed under  
23 s. 61.66 (1).

24 SECTION 17. 45.356 (1) (am) of the statutes is created to read:



1       45.356 (1) (am) The department shall operate the home, and employ a  
2       commandant and the officers, nurses, attendants and other personnel necessary for  
3       the proper conduct of the home. In compliance with the compensation plan  
4       established pursuant to s. 230.12 (3), the commandant may recommend to the  
5       director of personnel charges for meals, living quarters, laundry and other services  
6       furnished to employes and members of the employes' family maintained at the home.  
7       Complete personal maintenance and medical care to include programs and facilities  
8       which promote comfort, recreation, well-being or rehabilitation shall be furnished  
9       to all members of the home under the policy of the department.

10       SECTION 18. 45.365 (title) of the statutes is amended to read:

11       45.365 (title)    Wisconsin ~~veterans home~~ Veterans Home and  
12       southeastern facilities; management.

13       SECTION 19. 45.365 (1) (a) of the statutes is repealed and recreated to read:

14       45.365 (1) (a) In this section and s. 45.37:

15       1. "Department" means the department of veterans affairs.

16       2. "Home" means the Wisconsin Veterans Home at King.

17       3. "Southeastern facility" means any of the residential, treatment or nursing  
18       care facilities operated by the department in southeastern Wisconsin under s.  
19       45.385.

20       SECTION 20. 45.365 (1) (b) and (d) of the statutes are amended to read:

21       45.365 (1) (b) All money received in reimbursement for services to ~~institutional~~  
22       home or southeastern employes under par. (a) or in payment for meals served to  
23       guests at the ~~institution~~ home or southeastern facility shall be accumulated in an  
24       account named "employe maintenance credits" and shall be paid into the general

1 fund within one week after receipt and credited to the appropriation under s. 20.485  
2 (1) (gk).

3 (d) The home and southeastern facilities shall include a geriatric evaluation,  
4 research and education program. The program staff shall be funded from the  
5 appropriations under s. 20.485 (1) (hm), (j) and (mj).

6 **SECTION 21.** 45.365 (2a) of the statutes is amended to read:

7 45.365 (2a) The department may use moneys appropriated pursuant to s.  
8 20.485 (1) (h) to purchase, erect, construct or remodel buildings, and to provide  
9 additions and improvements thereto, and to provide equipment therefor and to  
10 provide materials, supplies and services necessary for the purposes of the home and  
11 southeastern facilities, and for such expenses as may be necessary and incidental to  
12 acquisition of property pursuant to s. 45.37 (10) and (11).

13 **SECTION 22.** 45.365 (2b) of the statutes is amended to read:

14 45.365 (2b) The department may accept gifts, bequests, grants or donations of  
15 money or of property from private sources to be administered by the department for  
16 the purposes of the home and southeastern facilities. All moneys so received shall  
17 be paid into the general fund and are appropriated therefrom as provided in s. 20.485  
18 (1) (h), except that gifts or grants received specifically for the purposes of the geriatric  
19 program at the home and southeastern facilities are appropriated as provided in s.  
20 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund  
21 interest on certificate of savings deposits for those members who do not receive  
22 maximum monthly retained income. The department shall establish for such  
23 persons upon their request individual accounts with savings and interest applied  
24 pursuant to such member requests.

25 **SECTION 23.** 45.365 (5) of the statutes is amended to read:

1       45.365 (5) The fire department at the home or southeastern facility in response  
2 to emergency fire calls may make runs and render fire fighting service beyond the  
3 confines of the home or southeastern facility.

4       X   SECTION 24. 45.365 (6) of the statutes is amended to read:

5       45.365 (6) The home is and the nursing care facility within the southeastern  
6 facility are subject to ch. 150, as specified in s. 150.46.

7       SECTION 25. 45.37 (1) of the statutes is amended to read:

8       45.37 (1) GENERAL STATEMENT. Within the limitations of the ~~facilities of the~~  
9 home and southeastern facilities, the department may admit to membership in the  
10 home and southeastern facilities persons who meet the qualifications set forth in this  
11 section.

12       SECTION 26. 45.37 (2) (intro.) of the statutes is amended to read:

13       45.37 (2) BASIC ELIGIBILITY REQUIREMENTS. (intro.) A veteran may be admitted  
14 to the home or southeastern facility if the veteran:

15       SECTION 27. 45.37 (2) (a) of the statutes is amended to read:

16       45.37 (2) (a) *Residence*. Was a resident of this state at the time of entering  
17 service with the armed forces and is a resident of this state on the date of admission  
18 to the home or southeastern facility.

19       SECTION 28. 45.37 (2) (f) of the statutes is amended to read:

20       45.37 (2) (f) *Financial information*. Provides a complete financial statement  
21 containing information that the department determines is necessary to evaluate the  
22 financial circumstances of the veteran and his or her spouse. The department may  
23 require a member of the home or southeastern facility to provide the department  
24 with information necessary for the department to determine the financial  
25 circumstances of the member and his or her spouse. If a member fails to provide the

1 additional information, the department may discharge the member from the home  
2 or southeastern facility.

3 SECTION 29. 45.37 (2) (h) of the statutes is amended to read:

4 45.37 (2) (h) *Care needs.* Has care needs which the home or southeastern  
5 facility is able to provide within the resources allocated for the care of members of  
6 the home or southeastern facility.

7 SECTION 30. 45.37 (4) (a) of the statutes is amended to read:

8 45.37 (4) (a) *Order of eligibility of veterans.* Applications from veterans except  
9 in cases where there is an immediate need for physical care or economic assistance  
10 shall be passed upon in order of priority based upon the date of receipt of the  
11 application by the home or southeastern facility. Establishment of the priority date  
12 of the application may be deferred to the date that the home or southeastern facility  
13 is able to verify its ability to provide appropriate care to the applicant or to assure  
14 that the appropriate care setting is available within the home or southeastern  
15 facility.

16 SECTION 31. 45.37 (4) (b) of the statutes is amended to read:

17 45.37 (4) (b) *Basis for eligibility of nonveterans.* Spouses, surviving spouses  
18 and parents derive their eligibility from the eligibility of the veteran upon whose  
19 service it is based. Surviving spouses and parents of eligible veterans shall not be  
20 eligible for admission at a southeastern facility. Surviving spouses and parents of  
21 eligible veterans shall not be eligible for admission at the home except for those  
22 admitted to the home prior to May 5, 1976, or unless the home's overall occupancy  
23 level is below an optimal level as determined by the board.

24 SECTION 32. 45.37 (4) (c) (intro.) of the statutes is amended to read:

1       45.37 (4) (c) *Order of priority.* (intro.) The order of priority for admission to the  
2 home or southeastern facility shall be as follows:

3       **SECTION 33.** 45.37 (4) (c) 3. of the statutes is amended to read:

4       45.37 (4) (c) 3. Surviving spouses of eligible veterans shall be given 3rd priority  
5 for admission to the home;

6       **SECTION 34.** 45.37 (4) (c) 4. of the statutes is amended to read:

7       45.37 (4) (c) 4. Parents of eligible veterans shall be given 4th priority for  
8 admission to the home;

9       **SECTION 35.** 45.37 (8) of the statutes is repealed.

10       **SECTION 36.** 45.37 (9) (c) of the statutes is amended to read:

11       45.37 (9) (c) *Work therapy program compensation.* The board shall establish  
12 a pay plan for compensation of members for services rendered to the home or  
13 southeastern facility under its work therapy program.

14       **SECTION 37.** 45.37 (9) (d) of the statutes is amended to read:

15       45.37 (9) (d) *Member payments.* Members shall pay the amount due the state  
16 for care and maintenance of the member within 30 days after the receipt of the home's  
17 or southeastern facility's billing statement by the member or by the member's  
18 personal representative. The department may subject any bill not paid within 30  
19 days after receipt of the billing statement to an interest assessment of 1% per month  
20 or fraction of a month. If payment is not made within 60 days after the receipt of the  
21 billing statement, the department may discharge the member from the home or  
22 southeastern facility.

23       **SECTION 38.** 45.37 (9) (g) of the statutes is amended to read:

24       45.37 (9) (g) *Work therapy or hobby shop income.* A member is not required to  
25 use income received from services rendered to the home or southeastern facility

1 under its work therapy program or from the sale of products or services through the  
2 hobby shop as payment for the care or maintenance of the member at the home or  
3 southeastern facility.

4 SECTION 39. 45.37 (9) (h) of the statutes is amended to read:

5 45.37 (9) (h) *Home or southeastern facility exchange*. The operation of the home  
6 or southeastern facility exchange, including the operation of the hobby shop for the  
7 sale of products made by all members, shall be conducted under the supervision of  
8 the department.

9 SECTION 40. 45.37 (9c) of the statutes is amended to read:

10 45.37 (9c) PERSONAL FUNDS OF MEMBER. A member may, in writing, authorize  
11 the home or southeastern facility to receive, hold and account for his or her personal  
12 funds. Section 49.498 (8) and the rules promulgated under that subsection apply to  
13 the funds of a member held by the home or southeastern facility under this  
14 subsection. The department may transfer the personal funds of a member received  
15 under this subsection to the Wisconsin veterans ~~home facilities~~ members fund under  
16 s. 25.37. Upon request of the member, the department shall pay to the member the  
17 amount of the member's personal funds requested by the member.

18 SECTION 41. 46.27 (1) (b) of the statutes is amended to read:

19 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.  
20 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the  
21 developmentally disabled ~~and, the Wisconsin veterans home~~ Veterans Home at King  
22 and the nursing care facility operated by the department of veterans affairs under  
23 s. 45.385.

24 SECTION 42. 46.27 (1) (dr) of the statutes is amended to read:

1        46.27 (1) (dr) "State-operated long-term care facility" means a state center for  
2        the developmentally disabled ~~and, the Wisconsin veterans home~~ Veterans Home at  
3        King ~~and the nursing care facility operated by the department of veterans affairs~~  
4        under s. 45.385.

5        SECTION 43. 46.27 (6) (a) 2. cm. of the statutes is amended to read:

6        46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be  
7        admitted to the Wisconsin ~~veterans home~~ Veterans Home at King ~~under subd. 1. or~~  
8        to the nursing care facility operated by the department of veterans affairs under s.  
9        45.385 who are informed about the program but waive the assessment.

10       SECTION 44. 46.271 (2m) (c) 3. of the statutes is amended to read:

11       46.271 (2m) (c) 3. Persons seeking admission to or about to be admitted to the  
12       Wisconsin ~~Veteran's~~ Veterans Home at King ~~or to the nursing care facility operated~~  
13       by the department of veterans affairs under s. 45.385 who are informed about the  
14       pilot project but waive the assessment.

15       SECTION 45. 49.45 (6m) (bg) of the statutes is amended to read:

16       49.45 (6m) (bg) The department shall determine payment levels for the  
17       provision of skilled, intermediate, limited, personal or residential care or care for the  
18       mentally retarded in the state centers for the developmentally disabled ~~and, in the~~  
19       Wisconsin ~~veterans home~~ Veterans Home at King ~~and in the nursing care facility~~  
20       operated by the department of veterans affairs under s. 45.385 separately from the  
21       payment principles, applicable costs and methods established under this subsection.

22       SECTION 46. 50.034 (4) of the statutes is amended to read:

23       50.034 (4) LIMITATION. A nursing home or a community-based residential  
24       facility may not convert a separate area of its total area to a residential care  
25       apartment complex unless the department first approves the conversion. A nursing

1 home, other than the nursing ~~home~~ homes operated at the Wisconsin Veterans Home  
2 at King or in southeastern Wisconsin by the department of veterans affairs under s.  
3 45.385, that intends to convert a separate area of its total area to a residential care  
4 apartment complex shall also agree to reduce its licensed nursing home beds by the  
5 corresponding number of residential care apartment complex residential units  
6 proposed for the conversion.

7 SECTION 47. 70.11 (3a) (title) of the statutes is amended to read:

8 70.11 (3a) (title) BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR IN  
9 SOUTHEASTERN WISCONSIN.

10 SECTION 48. 150.31 (5m) of the statutes is amended to read:

11 150.31 (5m) The department shall decrease the statewide bed limit specified  
12 in sub. (1) to account for any reduction in the approved bed capacity of the nursing  
13 home operated at the Wisconsin Veterans Home at King or at the nursing care facility  
14 operated by the department of veterans affairs under s. 45.385, as specified in s.  
15 45.375 (2).

16 SECTION 49. 150.46 (1) of the statutes is amended to read:

17 150.46 (1) This subchapter applies to the Wisconsin Veterans Home at King  
18 and to the nursing care facility operated by the department of veterans affairs under  
19 s. 45.385 only with respect to the statewide bed limit under s. 150.31 ~~and with respect~~  
20 ~~to the application, review and approval procedures relating to an increase in the~~  
21 ~~nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21 (2),~~  
22 ~~150.33, 150.35, 150.39, 150.40, 150.41 and 150.43.~~

23 SECTION 50. 230.36 (1) of the statutes is amended to read:

24 230.36 (1) If a conservation warden, conservation patrol boat captain,  
25 conservation patrol boat engineer, state forest ranger, conservation field employe of



1 the department of natural resources who is subject to call for fire control duty,  
2 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
3 investigator employed by the department of revenue, special criminal investigation  
4 agent employed by the department of justice, special tax agent, state drivers' license  
5 examiner, state fair park police officer, University of Wisconsin System police officer  
6 and other state facilities police officer and patrol officer, security officer, watcher,  
7 engineer, engineering aide, building construction superintendent, fire fighter  
8 employed at the Wisconsin Veterans Home at King or at the facilities operated by the  
9 department of veterans affairs under s. 45.385, or guard or institutional aide or a  
10 state probation, extended supervision and parole officer or any other employe whose  
11 duties include supervision and discipline of inmates or wards of the state at a state  
12 penal institution, including a secured correctional facility, as defined in s. 938.02  
13 (15m), or while on parole supervision or extended supervision outside of the confines  
14 of the institutions, or supervision of persons placed on probation by a court of record,  
15 or supervision and care of patients at a state mental institution, and the University  
16 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or  
17 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed  
18 in this subsection and who is ordered by his or her appointing authority to accompany  
19 any employe listed in this subsection while the listed employe is engaged in the  
20 duties defined in sub. (3), or any other state employe who is not listed in this  
21 subsection and who is ordered by his or her appointing authority to perform the  
22 duties, when permitted, in lieu of the listed employe and while so engaged in the  
23 duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall  
24 continue to be fully paid by the employing agency upon the same basis as paid prior  
25 to the injury, with no reduction in sick leave credits, compensatory time for overtime

1 accumulations or vacation and no reduction in the rate of earning sick leave credit  
2 or vacation. The full pay shall continue while the employee is unable to return to work  
3 as the result of the injury or until the termination of his or her employment upon  
4 recommendation of the appointing authority. At any time during the employee's  
5 period of disability the appointing authority may order physical or medical  
6 examinations to determine the degree of disability at the expense of the employing  
7 agency.

8 **SECTION 51.** 230.36 (3) (a) (intro.) of the statutes is amended to read:

9 230.36 (3) (a) (intro.) A forest ranger or field employee of the department of  
10 natural resources who is subject to call for forest fire control duty or fire watcher  
11 employed at the Wisconsin ~~veterans home~~ Veterans Home at King or at the facilities  
12 operated by the department of veterans affairs under s. 45.385, and lifeguard, at all  
13 times while:

14 **SECTION 52.** 851.09 of the statutes is amended to read:

15 **851.09 Heir.** "Heir" means any person, including the surviving spouse, who  
16 is entitled under the statutes of intestate succession to an interest in property of a  
17 decedent. The state is an heir of the decedent and a person interested under s. 45.37  
18 (10) and (11) when the decedent was a member of the Wisconsin ~~veterans home~~  
19 Veterans Home at King or at the facilities operated by the department of veterans  
20 affairs under s. 45.385 at the time of the decedent's death.

21 **SECTION 53.** 880.60 (4) of the statutes is amended to read:

22 880.60 (4) LIMITATION ON NUMBER OF WARDS. No person or corporate entity other  
23 than a county having a population of 100,000 or more, or a bank or trust company  
24 ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of  
25 more than 5 wards at one time, unless all the wards are members of one family. Such

1     A county shall act only for patients in its county hospital or mental hospital and for  
2     residents of its county home or infirmary, and shall serve without fee. The  
3     ~~commandant shall act only for members of the Wisconsin veterans home and shall~~  
4     ~~serve without fee.~~ Upon presentation of a petition by an attorney of the U.S.  
5     department of veterans affairs or other interested person, alleging that a guardian  
6     is acting in a fiduciary capacity for more than 5 wards ~~as herein provided and~~  
7     requesting the guardian's discharge for that reason, the court, upon proof  
8     substantiating the petition, shall require a final accounting ~~forthwith from such the~~  
9     guardian and shall discharge the guardian from guardianship in excess of 5 and  
10    ~~forthwith~~ appoint a successor.

**(END)**

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION



1 AN ACT ~~to repeal~~ 20.485 (1) (gm), 45.37 (8), 45.71 (9) (a) and (b), 45.73 (title),  
2 45.73 (2), 45.74 (3), 45.74 (5), 45.745 (3), 45.745 (5), 45.76 (3) (a) 2., 45.79 (2) (c),  
3 45.79 (3) (a) 2. and 45.85; **to renumber** 45.73 (1); **to renumber and amend**  
4 45.71 (9) (intro.) and 45.79 (3) (a) 1.; **to consolidate, renumber and amend**  
5 45.76 (3) (a) (intro.) and 1.; **to amend** 16.96 (2) (f), 20.485 (1) (title), 20.485 (1)  
6 (gk), 20.485 (1) (go), 20.485 (1) (h), 20.485 (1) (i), 20.485 (1) (m), 20.485 (1) (mj),  
7 20.485 (1) (mn), 20.485 (1) (t), 20.485 (2) (vo), 20.485 (2) (yn), 25.17 (1) (yv),  
8 25.37, 29.219 (2) (c), 29.563 (3) (a) 8., 40.02 (48) (am), 45.365 (title), 45.365 (1)  
9 (b) and (d), 45.365 (2a), 45.365 (2b), 45.365 (5), 45.365 (6), 45.37 (1), 45.37 (2)  
10 (intro.), 45.37 (2) (a), 45.37 (2) (f), 45.37 (2) (h), 45.37 (4) (a), 45.37 (4) (b), 45.37  
11 (4) (c) (intro.), 45.37 (4) (c) 3., 45.37 (4) (c) 4., 45.37 (9) (c), 45.37 (9) (d), 45.37 (9)  
12 (g), 45.37 (9) (h), 45.37 (9c), 45.37 (17), 45.397 (2) (a), 45.71 (7), 45.71 (12)  
13 (intro.), 45.74 (intro.), 45.745 (intro.), 45.76 (1) (a) 1., 45.79 (3) (a) (title), 46.27  
14 (1) (b), 46.27 (1) (dr), 46.27 (6) (a) 2. cm., 46.271 (2m) (c) 3., 49.45 (6m) (bg),  
15 50.034 (4), 70.11 (3a) (title), 150.31 (5m), 150.46 (1), 230.36 (1), 230.36 (3) (a)

(intro.), 851.09 and 880.60 (4); ***to repeal and recreate*** 45.365 (1) (a); and ***to create*** 45.25 (5), 45.35 (19), 45.356 (1) (am), 45.37 (18), 45.396 (10), 45.43 (9) and 45.71 (6m) of the statutes; ***relating to:*** veterans benefits and institutions.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.

For further information see the ***state*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 16.96 (2) (f) of the statutes is amended to read:

16.96 (2) (f) Persons who are members in the Wisconsin ~~veterans home~~ Veterans Home at King shall be considered residents of the town of Farmington and of Waupaca ~~county~~ County and persons who are members in the Wisconsin veterans facility in southeastern Wisconsin shall be considered residents of the town of Dover and of Racine County for purposes of the state revenue sharing distribution under subch. II I of ch. 79.

**SECTION 2.** 20.485 (1) (title) of the statutes is amended to read:

20.485 (1) (title) ~~Home~~ HOMES AND FACILITIES FOR VETERANS.

**SECTION 3.** 20.485 (1) (gk) of the statutes is amended to read:

20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the care of the Wisconsin ~~veterans home~~ Veterans Home at King and veterans facilities. All moneys received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this appropriation.

**SECTION 4.** 20.485 (1) (gm) of the statutes is repealed.

**SECTION 5.** 20.485 (1) (go) of the statutes is amended to read:

1           20.485 (1) (go) *Self-amortizing housing facilities; principal repayment and*  
2 *interest.* From the moneys received for providing housing services at the Wisconsin  
3 Veterans Home at King and the Wisconsin veterans facility in southeastern  
4 Wisconsin, a sum sufficient to reimburse s. 20.866 (1) (u) for the principal and  
5 interest costs incurred in acquiring, constructing, developing, enlarging or  
6 improving housing facilities at the Wisconsin Veterans Home at King and the  
7 Wisconsin veterans facility in southeastern Wisconsin and to make the payments  
8 determined by the building commission under s. 13.488 (1) (m) that are attributable  
9 to the proceeds of obligations incurred in financing such facilities.

10           **SECTION 6.** 20.485 (1) (h) of the statutes is amended to read:

11           20.485 (1) (h) *Gifts and bequests.* All moneys received under s. 45.37 (10) and  
12 (11), or any moneys received by gifts or bequests, to carry out the purposes of ss.  
13 45.365 and, 45.37 and 45.385.

14           **SECTION 7.** 20.485 (1) (i) of the statutes is amended to read:

15           20.485 (1) (i) *State-owned housing maintenance.* The amounts in the schedule  
16 for maintenance of state-owned housing at the Wisconsin ~~veterans home~~ Veterans  
17 Home at King and veterans facility in southeastern Wisconsin. All moneys received  
18 by the department from rentals of state-owned housing shall be credited to this  
19 appropriation account.

20           **SECTION 8.** 20.485 (1) (m) of the statutes is amended to read:

21           20.485 (1) (m) *Federal aid; care at veterans home and facilities.* All moneys  
22 received from the federal government for care of veterans of any war or military  
23 expedition of the United States who have been admitted to and cared for at the  
24 Wisconsin ~~veterans home~~ Veterans Home at King and veterans facilities. The net

1 revenues accruing under this paragraph shall be credited to the appropriation under  
2 par. (gk).

3 SECTION 9. 20.485 (1) (mj) of the statutes is amended to read:

4 20.485 (1) (mj) *Federal aid; geriatric unit.* All moneys received from the federal  
5 government for the geriatric program at the Wisconsin ~~veterans home~~ Veterans  
6 Home at King and veterans facilities, to carry out the purpose of s. 45.365 (1) (d).

7 SECTION 10. 20.485 (1) (mn) of the statutes is amended to read:

8 20.485 (1) (mn) *Federal projects.* All moneys received from the federal  
9 government for specific veterans programs other than for the care of veterans at the  
10 Wisconsin ~~veterans home~~ Veterans Home at King and veterans facilities, for such  
11 purposes.

12 SECTION 11. 20.485 (1) (t) of the statutes is amended to read:

13 20.485 (1) (t) *Veterans home ~~homes and facilities~~ member accounts.* From the  
14 Wisconsin ~~veterans home~~ Veterans Home at King and veterans facilities members  
15 fund, all moneys received under s. 25.37 to make payments as provided under s.  
16 45.37 (9c), (10) and (11).

17 SECTION 12. 20.485 (2) (vo) of the statutes is amended to read:

18 20.485 (2) (vo) *Veterans of World War I.* The amounts in the schedule to help  
19 defray the cost of ~~the annual convention, operations and publications of the, exhibits~~  
20 and other educational material prepared by the staff of the Wisconsin veterans  
21 museum relating to veterans of World War I.

22 SECTION 13. 20.485 (2) (yn) of the statutes is amended to read:

23 20.485 (2) (yn) *Veterans trust fund loans and expenses.* Biennially, the amounts  
24 in the schedule for the purpose of providing loans under s. 45.356 and for the  
25 payment of expenses and other payments as a consequence of being a mortgagee or

1 owner under home improvement loans made under s. 45.79 (7) (c), 1997 stats. or  
2 under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.80, 1989 stats., and s.  
3 45.356. All moneys received under ss. 45.356 (9) (a) and (b) and 45.79 (7) (c) for the  
4 purpose of providing loans under the personal loan program under s. 45.356 shall be  
5 credited to this appropriation account. All payments of interest and repayments of  
6 principal for loans made under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s.  
7 45.80, 1989 stats., and s. 45.356 and s. 45.79 (7) (c), 1997 stats. shall revert to the  
8 veterans trust fund.

\*\*\*\*NOTE: There is no s. 45.79 (7) (c) 2., only s. 45.79 (7) (c).

9 SECTION 14. 25.17 (1) (yv) of the statutes is amended to read:

10 25.17 (1) (yv) Wisconsin veterans home Veterans Home at King and veterans  
11 facilities members fund (s. 25.37);

12 SECTION 15. 25.37 of the statutes is amended to read:

13 25.37 Wisconsin veterans home facilities members fund. There is  
14 established a separate nonlapsible trust fund designated as the Wisconsin veterans  
15 home facilities members fund. The fund shall consist of moneys belonging to persons  
16 residing in Wisconsin veterans facilities, including members of the Wisconsin  
17 veterans home Veterans Home at King, that are paid to the home and veterans  
18 facilities and that are transferred into the fund by the department of veterans affairs  
19 under s. 45.37 (9c).

20 SECTION 16. 29.219 (2) (c) of the statutes is amended to read:

21 29.219 (2) (c) A resident annual fishing license issued to any resident who is  
22 a member of the Wisconsin Veterans Home at King or at the facilities operated by the  
23 department of veterans affairs under s. 45.385 shall be issued at no charge.

24 SECTION 17. 29.563 (3) (a) 8. of the statutes is amended to read:



1           29.563 (3) (a) 8. Annual fishing issued to a resident at Wisconsin Veterans  
2   Home at King and at the facilities operated by the department of veterans affairs  
3   under s. 45.385: \$0.

4           **SECTION 18.** 40.02 (48) (am) of the statutes is amended to read:

5           40.02 (48) (am) “Protective occupation participant” includes any participant  
6   whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who  
7   is a conservation warden, conservation patrol boat captain, conservation patrol boat  
8   engineer, conservation pilot, conservation patrol officer, forest fire control assistant,  
9   member of the state patrol, state motor vehicle inspector, police officer, fire fighter,  
10   sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic  
11   police officer, state forest ranger, fire watcher employed by the at Wisconsin veterans  
12   home facilities, state correctional-psychiatric officer, excise tax investigator  
13   employed by the department of revenue, special criminal investigation agent in the  
14   department of justice, assistant or deputy fire marshal, or person employed under  
15   s. 61.66 (1).

16          **SECTION 19.** 45.25 (5) of the statutes is created to read:

17          45.25 (5) SUPPLEMENTAL FUNDS. The department may submit a request to the  
18   joint committee on finance for supplemental funds from the veterans trust fund to  
19   be credited to the appropriation account under s. 20.485 (2) (tf) for tuition and fee  
20   reimbursement grants to veterans. If the cochairpersons of the committee do not  
21   notify the secretary of the department within 14 working days after the date of the  
22   department’s submittal that the committee intends to schedule a meeting to review  
23   the request, the appropriation account shall be supplemented as provided in the  
24   request. If, within 14 working days after the date of the department’s submittal, the  
25   cochairpersons of the committee notify the secretary of the department that the

1 committee intends to schedule a meeting to review the request, the appropriation  
2 account shall be supplemented only as approved by the committee.

3 **SECTION 20.** 45.35 (19) of the statutes is created to read:

4 **45.35 (19) COLLECTIONS.** The department may enter into contracts to collect  
5 delinquent loan payments owed to the department. The department may allocate a  
6 portion of the amounts collected under the contracts to pay contract costs.  
7 Notwithstanding the provisions of s. 45.36, the department may release information  
8 contained in its files pertaining to applications for benefits to contractors providing  
9 collection services to the department.

10 **SECTION 21.** 45.356 (1) (am) of the statutes is created to read:

11 **45.356 (1) (am)** The department shall operate the home, and employ a  
12 commandant and the officers, nurses, attendants and other personnel necessary for  
13 the proper conduct of the home. In compliance with the compensation plan  
14 established pursuant to s. 230.12 (3), the commandant may recommend to the  
15 director of personnel charges for meals, living quarters, laundry and other services  
16 furnished to employes and members of the employes' family maintained at the home.  
17 Complete personal maintenance and medical care to include programs and facilities  
18 which promote comfort, recreation, well-being or rehabilitation shall be furnished  
19 to all members of the home under the policy of the department.

20 **SECTION 22.** 45.365 (title) of the statutes is amended to read:

21 **45.365 (title)** ~~Wisconsin veterans home~~ **Veterans Home at King and**  
22 **southeastern facility; management.**

23 **SECTION 23.** 45.365 (1) (a) of the statutes is repealed and recreated to read:

24 **45.365 (1) (a)** In this section and s. 45.37:

25 1. "Department" means the department of veterans affairs.

1           2. “Home” means the Wisconsin Veterans Home at King.

2           3. “Southeastern facility” means any of the residential, treatment or nursing  
3 care facilities operated by the department in southeastern Wisconsin under s.  
4 45.385.

5           **SECTION 24.** 45.365 (1) (b) and (d) of the statutes are amended to read:

6           45.365 (1) (b) All money received in reimbursement for services to ~~institutional~~  
7 home or southeastern facility employees under par. (a) or in payment for meals served  
8 to guests at the ~~institution~~ home or southeastern facility shall be accumulated in an  
9 account named “employee maintenance credits” and shall be paid into the general  
10 fund within one week after receipt and credited to the appropriation under s. 20.485  
11 (1) (gk).

12           (d) The home and southeastern facility shall include a geriatric evaluation,  
13 research and education program. The program staff shall be funded from the  
14 appropriations under s. 20.485 (1) (hm), (j) and (mj).

15           **SECTION 25.** 45.365 (2a) of the statutes is amended to read:

16           45.365 (2a) The department may use moneys appropriated pursuant to s.  
17 20.485 (1) (h) to purchase, erect, construct or remodel buildings, and to provide  
18 additions and improvements thereto, and to provide equipment therefor and to  
19 provide materials, supplies and services necessary for the purposes of the home and  
20 southeastern facilities, and for such expenses as may be necessary and incidental to  
21 acquisition of property pursuant to s. 45.37 (10) and (11).

22           **SECTION 26.** 45.365 (2b) of the statutes is amended to read:

23           45.365 (2b) The department may accept gifts, bequests, grants or donations of  
24 money or of property from private sources to be administered by the department for  
25 the purposes of the home and southeastern facility. All moneys so received shall be

1 paid into the general fund and are appropriated therefrom as provided in s. 20.485  
2 (1) (h), except that gifts or grants received specifically for the purposes of the geriatric  
3 program at the home and southeastern facility are appropriated as provided in s.  
4 20.485 (1) (hm). The department shall not apply to the gifts and bequests fund  
5 interest on certificate of savings deposits for those members who do not receive  
6 maximum monthly retained income. The department shall establish for such  
7 persons upon their request individual accounts with savings and interest applied  
8 pursuant to such member requests.

9 **SECTION 27.** 45.365 (5) of the statutes is amended to read:

10 45.365 (5) The fire department at the home or southeastern facility in response  
11 to emergency fire calls may make runs and render fire fighting service beyond the  
12 confines of the home or southeastern facility.

13 **SECTION 28.** 45.365 (6) of the statutes is amended to read:

14 45.365 (6) The home ~~is~~ and the nursing care facility within the southeastern  
15 facility are subject to ch. 150, ~~as specified in s. 150.46~~.

16 **SECTION 29.** 45.37 (1) of the statutes is amended to read:

17 45.37 (1) GENERAL STATEMENT. Within the limitations of the ~~facilities of the~~  
18 home and southeastern facility, the department may admit to membership in the  
19 home and southeastern facility persons who meet the qualifications set forth in this  
20 section.

21 **SECTION 30.** 45.37 (2) (intro.) of the statutes is amended to read:

22 45.37 (2) BASIC ELIGIBILITY REQUIREMENTS. (intro.) A veteran may be admitted  
23 to the home or southeastern facility if the veteran:

24 **SECTION 31.** 45.37 (2) (a) of the statutes is amended to read:

1           45.37 (2) (a) *Residence*. Was a resident of this state at the time of entering  
2 service with the armed forces and is a resident of this state on the date of admission  
3 to the home or southeastern facility.

4           **SECTION 32.** 45.37 (2) (f) of the statutes is amended to read:

5           45.37 (2) (f) *Financial information*. Provides a complete financial statement  
6 containing information that the department determines is necessary to evaluate the  
7 financial circumstances of the veteran and his or her spouse. The department may  
8 require a member of the home or southeastern facility to provide the department  
9 with information necessary for the department to determine the financial  
10 circumstances of the member and his or her spouse. If a member fails to provide the  
11 additional information, the department may discharge the member from the home  
12 or southeastern facility.

13           **SECTION 33.** 45.37 (2) (h) of the statutes is amended to read:

14           45.37 (2) (h) *Care needs*. Has care needs which the home or southeastern  
15 facility is able to provide within the resources allocated for the care of members of  
16 the home or southeastern facility.

17           **SECTION 34.** 45.37 (4) (a) of the statutes is amended to read:

18           45.37 (4) (a) *Order of eligibility of veterans*. Applications from veterans except  
19 in cases where there is an immediate need for physical care or economic assistance  
20 shall be passed upon in order of priority based upon the date of receipt of the  
21 application by the home or southeastern facility. Establishment of the priority date  
22 of the application may be deferred to the date that the home or southeastern facility  
23 is able to verify its ability to provide appropriate care to the applicant or to assure  
24 that the appropriate care setting is available within the home or southeastern  
25 facility.

1           **SECTION 35.** 45.37 (4) (b) of the statutes is amended to read:

2           45.37 (4) (b) *Basis for eligibility of nonveterans.* Spouses, surviving spouses  
3           and parents derive their eligibility from the eligibility of the veteran upon whose  
4           service it is based. Surviving spouses and parents of eligible veterans shall not be  
5           eligible for admission at a southeastern facility. Surviving spouses and parents of  
6           eligible veterans shall not be eligible for admission at the home except for those  
7           admitted to the home prior to May 5, 1976, or unless the home's overall occupancy  
8           level is below an optimal level as determined by the board.

9           **SECTION 36.** 45.37 (4) (c) (intro.) of the statutes is amended to read:

10          45.37 (4) (c) *Order of priority.* (intro.) The order of priority for admission to the  
11          home or southeastern facility shall be as follows:

12          **SECTION 37.** 45.37 (4) (c) 3. of the statutes is amended to read:

13          45.37 (4) (c) 3. Surviving spouses of eligible veterans shall be given 3rd priority  
14          for admission to the home;

15          **SECTION 38.** 45.37 (4) (c) 4. of the statutes is amended to read:

16          45.37 (4) (c) 4. Parents of eligible veterans shall be given 4th priority for  
17          admission to the home;

18          **SECTION 39.** 45.37 (8) of the statutes is repealed.

19          **SECTION 40.** 45.37 (9) (c) of the statutes is amended to read:

20          45.37 (9) (c) *Work therapy program compensation.* The board shall establish  
21          a pay plan for compensation of members for services rendered to the home or  
22          southeastern facility under its work therapy program.

23          **SECTION 41.** 45.37 (9) (d) of the statutes is amended to read:

24          45.37 (9) (d) *Member payments.* Members shall pay the amount due the state  
25          for care and maintenance of the member within 30 days after the receipt of the home's

1 or southeastern facility's billing statement by the member or by the member's  
2 personal representative. The department may subject any bill not paid within 30  
3 days after receipt of the billing statement to an interest assessment of 1% per month  
4 or fraction of a month. If payment is not made within 60 days after the receipt of the  
5 billing statement, the department may discharge the member from the home or  
6 southeastern facility.

7 **SECTION 42.** 45.37 (9) (g) of the statutes is amended to read:

8 45.37 (9) (g) *Work therapy or hobby shop income.* A member is not required to  
9 use income received from services rendered to the home or southeastern facility  
10 under its work therapy program or from the sale of products or services through the  
11 hobby shop as payment for the care or maintenance of the member at the home or  
12 southeastern facility.

13 **SECTION 43.** 45.37 (9) (h) of the statutes is amended to read:

14 45.37 (9) (h) *Home or southeastern facility exchange.* The operation of the home  
15 or southeastern facility exchange, including the operation of the hobby shop for the  
16 sale of products made by all members, shall be conducted under the supervision of  
17 the department.

18 **SECTION 44.** 45.37 (9c) of the statutes is amended to read:

19 45.37 (9c) **PERSONAL FUNDS OF MEMBER.** A member may, in writing, authorize  
20 the home or southeastern facility to receive, hold and account for his or her personal  
21 funds. Section 49.498 (8) and the rules promulgated under that subsection apply to  
22 the funds of a member held by the home or southeastern facility under this  
23 subsection. The department may transfer the personal funds of a member received  
24 under this subsection to the Wisconsin veterans ~~home~~ facilities members fund under

1 s. 25.37. Upon request of the member, the department shall pay to the member the  
2 amount of the member's personal funds requested by the member.

3 **SECTION 45.** 45.37 (17) of the statutes is amended to read:

4 45.37 (17) ADDITIONAL ELIGIBILITY REQUIREMENTS. Any person admitted to the  
5 home ~~after December 31, 1973, or the nursing care facility operated by the~~  
6 ~~department within the southeastern facility~~ shall meet during residence at the home  
7 ~~or at the nursing care facility operated by the department within the southeastern~~  
8 ~~facility~~ the eligibility requirements under ss. 49.45 and 49.46 and rules promulgated  
9 thereunder except that:

10 (a) Persons with sufficient income and resources to meet the expenses of care  
11 for one or more months may be admitted to or remain in membership at the home  
12 ~~or the nursing care facility operated by the department within the southeastern~~  
13 ~~facility~~ but shall apply income and resources to costs to the extent required by ss.  
14 49.45 and 49.46 and rules promulgated thereunder; or

15 (b) Persons who meet all the requirements of this section but whose degree of  
16 physical disability does not meet the minimum requirements in ss. 49.45 and 49.46  
17 and rules promulgated thereunder may be admitted to or remain in membership at  
18 the home ~~or the nursing care facility operated by the department within the~~  
19 ~~southeastern facility~~ but shall apply income and resources to costs to the extent  
20 required by ss. 49.45 and 49.46 and rules promulgated thereunder.

21 **SECTION 46.** 45.37 (18) of the statutes is created to read:

22 45.37 (18) SOUTHEASTERN FACILITY ADDITIONAL ELIGIBILITY REQUIREMENT. An  
23 otherwise eligible person may be admitted to or remain in residency at a residential  
24 or treatment facility within the southeastern facility only if the person has sufficient  
25 income and resources, and applies the income and resources to fully reimburse the



1 department for the cost of providing care to the person. This income and resource  
2 limit on eligibility does not apply to persons admitted to the nursing care facility  
3 operated by the department within the southeastern facility.

\*\*\*\*NOTE: I added the last sentence because the note to this language said the income and resource requirement was to apply at the southeastern facility, other than the nursing care facility, but the suggested language did not include that exception.

4 **SECTION 47.** 45.396 (10) of the statutes is created to read:

5 45.396 (10) The department may submit a request to the joint committee on  
6 finance for supplemental funds from the veterans trust fund to be credited to the  
7 appropriation account under s. 20.485 (2) (th) for correspondence courses and  
8 part-time classroom study grants to veterans. If the cochairpersons of the  
9 committee do not notify the secretary of the department within 14 working days after  
10 the date of the department's submittal that the committee intends to schedule a  
11 meeting to review the request, the appropriation account shall be supplemented as  
12 provided in the request. If, within 14 working days after the date of the department's  
13 submittal, the cochairpersons of the committee notify the secretary of the  
14 department that the committee intends to schedule a meeting to review the request,  
15 the appropriation account shall be supplemented only as approved by the committee.

16 **SECTION 48.** 45.397 (2) (a) of the statutes is amended to read:

17 45.397 (2) (a) The veteran is enrolled in a training course in a technical college  
18 under ch. 38 or in a proprietary school in the state approved by the educational board  
19 under s. 39.51, other than a school offering four-year degrees or programs, or is  
20 engaged in a structured on-the-job training program that meets program  
21 requirements promulgated by the department by rule.

22 **SECTION 49.** 45.43 (9) of the statutes is created to read:

1        45.43 (9) SUPPLEMENTAL FUNDS. The department may submit a request to the  
2 joint committee on finance for supplemental funds from the veterans trust fund to  
3 be credited to the appropriation account under s. 20.485 (2) (vx) for county veterans  
4 service officer grants. If the cochairpersons of the committee do not notify the  
5 secretary of the department within 14 working days after the date of the  
6 department's submittal that the committee intends to schedule a meeting to review  
7 the request, the appropriation account shall be supplemented as provided in the  
8 request. If, within 14 working days after the date of the department's submittal, the  
9 cochairpersons of the committee notify the secretary of the department that the  
10 committee intends to schedule a meeting to review the request, the appropriation  
11 account shall be supplemented only as approved by the committee.

12        SECTION 50. 45.71 (6m) of the statutes is created to read:

13        45.71 (6m) "Federal Home Loan Mortgage Corporation" means the corporation  
14 created under 12 USC 1451 to 1459.

15        SECTION 51. 45.71 (7) of the statutes is amended to read:

16        45.71 (7) "Funds" include cash on hand, and liquid investments, ~~and any asset~~  
17 ~~the conversion of which to cash would not result in a substantial loss, except as~~  
18 ~~provided under s. 45.85.~~ The funds of a veteran include all funds owned by the  
19 veteran and spouse, individually or jointly, unless the veteran and spouse are  
20 permanently separated.

21        SECTION 52. 45.71 (9) (intro.) of the statutes is renumbered 45.71 (9) and  
22 amended to read:

23        45.71 (9) "Income" means the amount of adjusted gross income a veteran is  
24 receiving for regular work together with any income from other sources that may

1 reasonably be expected to be regular and dependable, ~~except as provided under s.~~  
2 ~~45.85.~~

3 SECTION 53. 45.71 (9) (a) and (b) of the statutes are repealed.

4 SECTION 54. 45.71 (12) (intro.) of the statutes is amended to read:

5 45.71 (12) (intro.) ~~“Mobile home”~~ “Manufactured home” means a mobile home  
6 structure, as defined under ~~s. 340.01 (29)~~, by the Federal Home Loan Mortgage  
7 Corporation which:

\*\*\*\*NOTE: The term “mobile home” is used in other places in ch. 45. OK, or should  
those terms be changed to “manufactured home”?

8 SECTION 55. 45.73 (title) of the statutes is repealed.

9 SECTION 56. 45.73 (1) of the statutes is renumbered 45.73.

10 SECTION 57. 45.73 (2) of the statutes is repealed.

11 SECTION 58. 45.74 (intro.) of the statutes is amended to read:

12 **45.74 Eligible persons; disqualifying factors.** (intro.) Except as provided  
13 under s. 45.745 ~~or 45.85~~, no person may receive a loan under this subchapter if the  
14 department or authorized lender determines that any of the following applies:

15 SECTION 59. 45.74 (3) of the statutes is repealed.

16 SECTION 60. 45.74 (5) of the statutes is repealed.

17 SECTION 61. 45.745 (intro.) of the statutes is amended to read:

18 **45.745 Loans to disabled veterans; qualifying factors.** (intro.) A veteran  
19 who is receiving 100% disability compensation from the U.S. department of veterans  
20 affairs under 38 USC 301 to 315, 331 to 337 and 350 to 362 due to a permanent and  
21 total service-connected disability may receive a loan under this subchapter if the  
22 department or authorized lender determines, ~~after disregarding any payment~~  
23 ~~received under s. 45.85~~, that all of the following apply:

1           **SECTION 62.** 45.745 (3) of the statutes is repealed.

2           **SECTION 63.** 45.745 (5) of the statutes is repealed.

3           **SECTION 64.** 45.76 (1) (a) 1. of the statutes is amended to read:

4           45.76 (1) (a) 1. A ~~mobile~~ manufactured home or real property on which a ~~mobile~~  
5           manufactured home is to be situated, but only if the veteran has available and  
6           applies on the total cost of the property, an amount equivalent to at least 15% of the  
7           total cost. This 15% requirement does not apply to a person who qualifies under s.  
8           45.745.

9           **SECTION 65.** 45.76 (3) (a) (intro.) and 1. of the statutes are consolidated,  
10          renumbered 45.76 (3) (a) and amended to read:

11          45.76 (3) (a) *Cost and value of property.* No loan may be made under this  
12          subchapter if the department or authorized lender determines that: ~~1. The~~ the total  
13          cost of the property exceeds its market value unless the amount by which the cost of  
14          the property exceeds its market value is paid by the borrower in addition to the  
15          downpayment required by s. 45.77. This ~~subdivision~~ paragraph does not apply to a  
16          person who qualifies under s. 45.745.

17          **SECTION 66.** 45.76 (3) (a) 2. of the statutes is repealed.

18          **SECTION 67.** 45.79 (2) (c) of the statutes is repealed.

19          **SECTION 68.** 45.79 (3) (a) (title) of the statutes is amended to read:

20          45.79 (3) (a) (title) ~~First or 2nd mortgage~~ Mortgage or guarantor required.

21          **SECTION 69.** 45.79 (3) (a) 1. of the statutes is renumbered 45.79 (3) (a) and  
22          amended to read:

23          45.79 (3) (a) Each loan made under this section, except a loan of \$3,000 or less  
24          for a purpose specified under s. 45.76 (1) (c), shall be evidenced by a promissory  
25          instalment note and secured by a mortgage on the real estate in respect to which the

1 loan is granted. A loan of \$3,000 or less made for a purpose specified under s. 45.76  
2 (1) (c) shall be evidenced by a promissory instalment note and shall be secured by a  
3 guarantor or by a mortgage on the real estate in respect to which the loan is granted.  
4 Any loan having as its source funds provided through sub. (6) (a) and secured by a  
5 mortgage shall have the mortgage name the department as mortgagee and payee.  
6 Any loan having as its source funds provided through sub. (6) (b) and secured by a  
7 mortgage shall have the mortgage name the authorized lender involved as  
8 mortgagee and payee, and such mortgage and note shall be assigned by the  
9 authorized lender to the authority immediately upon execution. A mortgage  
10 securing a loan made for a purpose specified in s. 45.76 (1) (a), (b) or (d) must have  
11 priority over all liens against the mortgaged premises and the buildings and  
12 improvements thereon, except tax and special assessment liens filed after the  
13 recording of the mortgage. A mortgage securing a loan made for a purpose specified  
14 under s. 45.76 (1) (c) ~~may be junior and subject to not more than one prior mortgage,~~  
15 ~~and, except for that prior mortgage, must have priority over all liens against the~~  
16 ~~mortgaged premises and the buildings and improvements on those premises, except~~  
17 ~~tax and special assessment liens filed after the recording of the mortgage is~~  
18 acceptable if the applicant can establish a minimum equity in the property as  
19 established by the department by rule.

20 SECTION 70. 45.79 (3) (a) 2. of the statutes is repealed.

21 SECTION 71. 45.85 of the statutes is repealed.

22 SECTION 72. 46.27 (1) (b) of the statutes is amended to read:

23 46.27 (1) (b) "Nursing home" means a facility that meets the definition in s.  
24 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the  
25 developmentally disabled and, the Wisconsin veterans home Veterans Home at King

1 and the nursing care facility operated by the department of veterans affairs under  
2 s. 45.385.

3 **SECTION 73.** 46.27 (1) (dr) of the statutes is amended to read:

4 46.27 (1) (dr) "State-operated long-term care facility" means a state center for  
5 the developmentally disabled and, the Wisconsin veterans home Veterans Home at  
6 King and the nursing care facility operated by the department of veterans affairs  
7 under s. 45.385.

8 **SECTION 74.** 46.27 (6) (a) 2. cm. of the statutes is amended to read:

9 46.27 (6) (a) 2. cm. Persons under subd. 1. seeking admission to or about to be  
10 admitted to the Wisconsin veterans home Veterans Home at King under subd. 1. or  
11 to the nursing care facility operated by the department of veterans affairs under s.  
12 45.385 who are informed about the program but waive the assessment.

13 **SECTION 75.** 46.271 (2m) (c) 3. of the statutes is amended to read:

14 46.271 (2m) (c) 3. Persons seeking admission to or about to be admitted to the  
15 Wisconsin Veteran's Veterans Home at King or to the nursing care facility operated  
16 by the department of veterans affairs under s. 45.385 who are informed about the  
17 pilot project but waive the assessment.

18 **SECTION 76.** 49.45 (6m) (bg) of the statutes is amended to read:

19 49.45 (6m) (bg) The department shall determine payment levels for the  
20 provision of skilled, intermediate, limited, personal or residential care or care for the  
21 mentally retarded in the state centers for the developmentally disabled and, in the  
22 Wisconsin veterans home Veterans Home at King and in the nursing care facility  
23 operated by the department of veterans affairs under s. 45.385 separately from the  
24 payment principles, applicable costs and methods established under this subsection.

25 **SECTION 77.** 50.034 (4) of the statutes is amended to read:

1           50.034 (4) LIMITATION. A nursing home or a community-based residential  
2 facility may not convert a separate area of its total area to a residential care  
3 apartment complex unless the department first approves the conversion. A nursing  
4 home, other than the nursing ~~home~~ homes operated at the Wisconsin Veterans Home  
5 at King or in southeastern Wisconsin by the department of veterans affairs under s.  
6 45.385, that intends to convert a separate area of its total area to a residential care  
7 apartment complex shall also agree to reduce its licensed nursing home beds by the  
8 corresponding number of residential care apartment complex residential units  
9 proposed for the conversion.

10           SECTION 78. 70.11 (3a) (title) of the statutes is amended to read:

11           70.11 (3a) (title) BUILDINGS AT THE WISCONSIN VETERANS HOME AT KING OR IN  
12 SOUTHEASTERN WISCONSIN.

13           SECTION 79. 150.31 (5m) of the statutes is amended to read:

14           150.31 (5m) The department shall decrease the statewide bed limit specified  
15 in sub. (1) to account for any reduction in the approved bed capacity of the nursing  
16 home operated at the Wisconsin Veterans Home at King or at the nursing care facility  
17 operated by the department of veterans affairs under s. 45.385, as specified in s.  
18 45.375 (2).

19           SECTION 80. 150.46 (1) of the statutes is amended to read:

20           150.46 (1) This subchapter ~~applies~~ does not apply to the Wisconsin Veterans  
21 Home at King ~~only with respect to the statewide bed limit under s. 150.31 and with~~  
22 ~~respect to the application, review and approval procedures relating to an increase in~~  
23 ~~the nursing home bed capacity of the Wisconsin Veterans Home, under ss. 150.21 (2),~~  
24 ~~150.33, 150.35, 150.39, 150.40, 150.41 and 150.43~~ or to the nursing care facility  
25 operated by the department of veterans affairs under s. 45.385.

1           **SECTION 81.** 230.36 (1) of the statutes is amended to read:

2           230.36 (1) If a conservation warden, conservation patrol boat captain,  
3 conservation patrol boat engineer, state forest ranger, conservation field employe of  
4 the department of natural resources who is subject to call for fire control duty,  
5 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
6 investigator employed by the department of revenue, special criminal investigation  
7 agent employed by the department of justice, special tax agent, state drivers' license  
8 examiner, state fair park police officer, University of Wisconsin System police officer  
9 and other state facilities police officer and patrol officer, security officer, watcher,  
10 engineer, engineering aide, building construction superintendent, fire fighter  
11 employed at the Wisconsin Veterans Home at King or at the facilities operated by the  
12 department of veterans affairs under s. 45.385, or guard or institutional aide or a  
13 state probation, extended supervision and parole officer or any other employe whose  
14 duties include supervision and discipline of inmates or wards of the state at a state  
15 penal institution, including a secured correctional facility, as defined in s. 938.02  
16 (15m), or while on parole supervision or extended supervision outside of the confines  
17 of the institutions, or supervision of persons placed on probation by a court of record,  
18 or supervision and care of patients at a state mental institution, and the University  
19 of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or  
20 her duties, as defined in subs. (2) and (3); or any other state employe who is not listed  
21 in this subsection and who is ordered by his or her appointing authority to accompany  
22 any employe listed in this subsection while the listed employe is engaged in the  
23 duties defined in sub. (3), or any other state employe who is not listed in this  
24 subsection and who is ordered by his or her appointing authority to perform the  
25 duties, when permitted, in lieu of the listed employe and while so engaged in the



1 duties defined in sub. (3), suffers injury as defined in sub. (2) the employee shall  
2 continue to be fully paid by the employing agency upon the same basis as paid prior  
3 to the injury, with no reduction in sick leave credits, compensatory time for overtime  
4 accumulations or vacation and no reduction in the rate of earning sick leave credit  
5 or vacation. The full pay shall continue while the employee is unable to return to work  
6 as the result of the injury or until the termination of his or her employment upon  
7 recommendation of the appointing authority. At any time during the employee's  
8 period of disability the appointing authority may order physical or medical  
9 examinations to determine the degree of disability at the expense of the employing  
10 agency.

11 **SECTION 82.** 230.36 (3) (a) (intro.) of the statutes is amended to read:

12 230.36 (3) (a) (intro.) A forest ranger or field employee of the department of  
13 natural resources who is subject to call for forest fire control duty or fire watcher  
14 employed at the Wisconsin ~~veterans home~~ Veterans Home at King or at the facilities  
15 operated by the department of veterans affairs under s. 45.385, and lifeguard, at all  
16 times while:

17 **SECTION 83.** 851.09 of the statutes is amended to read:

18 **851.09 Heir.** "Heir" means any person, including the surviving spouse, who  
19 is entitled under the statutes of intestate succession to an interest in property of a  
20 decedent. The state is an heir of the decedent and a person interested under s. 45.37  
21 (10) and (11) when the decedent was a member of the Wisconsin ~~veterans home~~  
22 Veterans Home at King or at the facilities operated by the department of veterans  
23 affairs under s. 45.385 at the time of the decedent's death.

24 **SECTION 84.** 880.60 (4) of the statutes is amended to read:

880.60 (4) LIMITATION ON NUMBER OF WARDS. No person or corporate entity other than a county having a population of 100,000 or more, or a bank or trust company ~~or the commandant of the Wisconsin veterans home at King~~ shall be guardian of more than 5 wards at one time, unless all the wards are members of one family. Such A county shall act only for patients in its county hospital or mental hospital and for residents of its county home or infirmary, and shall serve without fee. ~~The commandant shall act only for members of the Wisconsin veterans home and shall serve without fee.~~ Upon presentation of a petition by an attorney of the U.S. department of veterans affairs or other interested person, alleging that a guardian is acting in a fiduciary capacity for more than 5 wards ~~as herein provided~~ and requesting the guardian's discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting ~~forthwith~~ from such ~~the~~ guardian and shall discharge the guardian from guardianship in excess of 5 and ~~forthwith~~ appoint a successor.

**(END)**



WISCONSIN STATE SENATE

**RODNEY C. MOEN**

SENATOR - 31ST DISTRICT

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State Capitol, P.O. Box 7882, Madison, Wisconsin 53707-7882 Phone: (608) 266-8546 Toll-free Hotline: 1-800-362-9472

**To: Bob Nelson, Legislative Reference Bureau**

**From: Terry Tuschen, Senator Moen's office**

**Re: LRB-3402/p1, super-veterans bill**

**Date: October 5, 1999**

Hi Bob,

The only changes we want made are the elimination of the 14-day passive review clauses,

page 6, section 19;  
page 14, section 47;  
and page 15, section 49

Give me a call, 6-8546, if you have any questions or concerns, and thanks again.